IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO.2878 OF 2004

Protective Builders & Developers
Pvt.Ltd. & Anr. ..Plaintiffs.

V/s.

Kailash Shamji Veera & Ors. ..Defendants.

Mr.W.N.Tated i/b Mahimtura & Co. for Plaintiff.
Mr. Bhosale i/b Narayan & Narayan for Defendant No.1 to 6.

Mr.M.S.Rane i/b Purnanand & Co. for defendant No.7.

CORAM: A.M.KHANWILKAR,J

DATE : JUNE 15, 2005.

P.C. :

1. By consent draft amendment is filed, which is taken on record. The plaintiff is permitted to carry out amendment as prayed for, by consent. Amendment to be carried out within two weeks.

2. Mr.Tated, counsel appears for the plaintiffs including the newly added plaintiff. Mr. Bhosale, counsel appears for defendant Nos. 1 to 6 and Mr.Rane, counsel appears for defendant No.7. None appears for the defendant No.8 though served.

3. The plaintiffs including newly added plaintiff prays that the suit be allowed to be

withdrawn as against the defendant No.7 and 8. Accordingly, suit is dismissed as withdrawn as against defendant Nos. 7 and 8.

4. Counsel for the plaintiff including newly added plaintiff and counsel for defendant Nos. 1 to 6 submits that parties have amicably settled the matter on terms which are reduced into writing and provided in the consent terms, duly signed by the parties as well as their advocates on 9th May, 2005. Consent terms are tendered before the court. The same is taken on record. Suit as against defendant Nos. 1 to 6 is disposed of in terms of consent terms. Undertaking given by the respective parties in the consent terms is accepted. Refund as per rules.